

SCPD POLICY AND LAW COMMITTEE MEETING MINUTES
FEBRUARY 9, 2017 – 1 PM
SMYRNA REST AREA - SMYRNA, DE

Members Present: Daniese McMullin-Powell, SCPD (via phone), Co-Chair; Marge Turner, DSAAPD, Co-Chair; Deb Bradl, DVI; Kathie Cherry, GACEC (via phone); Michael Harris, Advocate; Brian Hartman, DLP; Nick Fina, SCPD; Pat Maichle, DDC; Bill Payne, GACAAPD; John McNeal, SCPD Staff; and Amber Rivard, Support Staff.

CALL TO ORDER

Marge called the meeting to order 1:05 PM.

ADDITIONS OR DELETIONS TO THE AGENDA

- Smyrna Rest Area Accessible Parking

APPROVAL OF MINUTES

The October 13, 2016 minutes were approved as submitted.

REVIEW OF REGULATIONS AND LEGISLATION

1. DMMA Final Delaware Healthy Children Program Premium Reg. [20 DE Reg. 639 (2/1/17)] – No further action taken.
2. DSS Prop. Purchase of Care-Licensed Exempt Provider Reg. [20 DE Reg. 614 (2/1/17)] – Resubmit letter that was sent to DMMA in December, 2016 and change DMMA to DSS with a revised effective date changed from February 11 to May 11, 2017. Pat made a motion to approve since this once approved in December and this was unanimously approved.
3. DMMA Prop. Del. Healthy Children Program Vision Coverage Reg. [20 DE Reg. 610 (2/1/17)] – A motion was made to support this initiative. Motion was made by Marge, seconded by Nick and unanimously approved.
4. DMMA Prop. E&D Waiver Provider Policy Manual Reg. [20 DE Reg. 612 (2/1/17)] - Motion was made by Brian to endorse this initiative and share observations, seconded by Pat and unanimously approved.
5. DOE Proposed Unit Count Regulation [20 DE Reg. 602 (2/1/17)] – Motion was made by Brian to share observations with DOE and was seconded by Pat; motion unanimously approved. Revision: under C. “to include” instead of “from including”.
6. H.B. No. 14 (Motorcycle Helmets) –The Brain Injury Committee voted to recommend

that SCPD take a lead role in this, working with the DDC (which is developing some Fact Sheets, and attempt to obtain endorsements from other agencies to submit to the legislature. Brian recommended sending a letter to the legislators and then finalizing the Fact Sheet and obtaining endorsements from other agencies. Pat noted that she has developed a Fact Sheet. Nick noted that if someone is involved in a motorcycle accident and has private insurance, it still drives up the premiums. Michael asked about contrasting statistics on wearing a helmet vs. not wearing a helmet. John will request statistics from Office of Highway Safety.

A motion was made by Brian to share analysis with policymakers, and sharing courtesy copies of communication with Department of Health & Social Services (DMMA, DPH), Department of Transportation, and Department of Safety and Homeland Security. This was seconded by Pat and approved, with one person opposing (Michael Harris) and no abstentions.

7. H.B. No. 21 (Organ Transplant Discrimination) – Brian made a motion that SCPD give a general endorsement of the bill with a separate communication to the prime sponsors, stating overlapping concerns. A copy of the letter should also be sent to Matt Denn (Attorney General). Pat seconded the motion and it was approved with one abstention (Bill) and no one opposing.

8. H.S. No. 1 for H.B. No. 12 (Basic Special Education Unit) – Brian made a motion to share the analysis with policymakers. Marge commented about her concern about the cost to taxpayers. She added that once there is an increase, it never goes down and show support of the outcome. Pat seconded the motion and it was approved with no one opposing or abstaining.

9. H.B. No. 55 (Compulsory School Attendance) – Brian made a motion that SCPD endorse an increase in the compulsory education age if accompanied by targeted supports such as graduation coaches. Pat seconded the motion. The motion was approved with no one abstaining or opposing.

10. H.B. No. 23 (Student Withdrawal from School) – Brian made a motion that SCPD endorsement of the legislation subject to an amendment clarifying that parental consent is only necessary for minors. Pat seconded the motion. Motion was approved with no one opposing or abstaining.

11. H.B. No. 47 (Absentee Voting) – Brian made a motion that SCPD consider sharing positive commentary with policymakers. Pat seconded the motion. Motion was approved with no one opposing or abstaining.

12. H.B. No. 39 (Mental Health Commitment) - Brian made a motion to share observations with significant reservations with policymakers. The bill could be improved by including a description of the Family Court's role and authority in directing or arranging medial services. The letter should also be sent to Attorney General Matt Denn; Sarah Goncher, DAG; the Honorable Michael Newell, Family Court Judge; Steve

Yeatman, DSCYF; and Richard Morse, Esq, Delaware ACLU. Pat stated that she is opposed to the bill and will speak to Representative Sean Lynn. Pat seconded the motion, with four approving, one opposing (Bill), and three abstaining (Nick, Daniese, Michael). Motion carried.

OTHER BUSINESS

Accessibility

Bill spoke about accessibility issues to this building, including only one van accessible spot, the back of the lot is not accessible by wheelchair (no cut through). Bill wanted SCPD to send comments to request more accessible parking. John stated that this facility is under DelDOT. He will contact DelDOT regarding any noncompliance issues before final inspection. Brian suggested putting a sign out front saying that there is additional accessible parking in the back and make sure that there is an accessible route of travel from the back to here. John will follow-up with DelDOT with a formal complaint of a noncompliant feature. He will let Committee members know the outcome. He spoke about what is need vs. what is required. Bill thanked John for his work at DelDOT. He stated that the Transition Plan for Self Evaluation will be out soon for public notice, with public hearings in all three counties. He will make sure everyone gets an invitation.

Marge spoke about the six-hour parking limit. She also said that there is no Park & Ride in the Smyrna area.

Pat stated that Kathie answered a question about who is eligible to take the GED Test. Those eligible must meet these requirements: not currently enrolled in school, have not graduated from high school, at least 18 years of age. Some states allow testing at age 16 or 17 years of age. Pat will forward this to John. Brian and Wendy were cc'd on the email. This is a DOE regulation.

ANNOUNCEMENTS

none

ADJOURNMENT

The meeting was adjourned at 3:10 PM.

Respectfully submitted,

Jo Singles
Support Staff

policy & law/min feb 17